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ABSTRACT

This document reports on the new academic program review activities of the Maryland Higher Education Commission. Two new sections of the Education Article of the Annotated Code of Maryland implemented in 1997 changed the academic program review process for institutions within the University System of Maryland (USM). The process now calls for a 60-day academic program review process at all institutions of higher education and requires the Maryland Higher Education Commission and the governing boards of public institutions of higher education to identify low-productivity academic programs. The revised review process has severely limited the ability of the Maryland Higher Education Commission to assess the quality and accessibility of new academic programs proposed by USM institutions. The Commission is no longer able to consider the market demand for proposed programs, curriculum quality, expected learning outcomes, adequacy of faculty resources, or adequacy of instructional equipment and facilities. The Commission has found, however, that the 60-day period has improved the time-to-implementation of new degree programs. In the most recent review cycle (July 1999-December 2001), 121 new academic programs were implemented without objection for USM institutions, compared with 51 new programs approved in the previous cycle. The new criteria revolve around mission consistency, a fit with existing resources, the avoidance of unreasonable program duplication, and compliance with equal opportunity obligations of state and federal law. The review of programs of low productivity in terms of degrees resulted in discontinuing 31 programs, continuing 108, and providing additional study of 29. Eleven appendixes provide graphs of data about academic programs in Maryland. (Contains 10 figures and 1 table.) (SLD)

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MARYLAND HIGHER EDUCATION COMMISSION

Report to The Governor and The Maryland General Assembly

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The Education Article, Annotated Code of Maryland

I. § 11.206.1 Establishing and Abolishing Programs
II. § 11.206 Expedited Academic Program Review Timeframe
III. § 11.206.1 Low-Productivity Programs

[Subject To Abrogation Effective June 30, 2002]

January 2002

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Maryland Higher Education Commission
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EXECUTIVE SUMMARY

Senate Bill (SB) 682, enacted during the 1999 Regular Session of the Maryland General Assembly, implemented a number of recommendations offered by *the Task Force on the Governance, Coordination, and Funding of the University System of Maryland* (Task Force). Specifically, *§11-206.1* and *§11-206* of the *Education Article, Annotated Code of Maryland* added a new academic program review process for institutions within the University System of Maryland (USM). SB 682 provided for a 60-day review process for all institutions of higher education, and also required the Maryland Higher Education Commission (Commission) and the governing boards of public institutions of higher education to identify low-productivity academic programs.

SB 682's revised review process has severely limited the Commission's capacity to assess the quality and accessibility of new academic programs proposed by USM institutions. Under the provisions of the law, the Commission is no longer able to consider the market demand for proposed programs, the quality of the curricula, expected learning outcomes, adequacy of faculty resources, or adequacy of instructional equipment and facilities required to successfully implement programs. Without the ability to verify such information, the Commission lacks any basis to assess the quality of proposed programs. Moreover, it has no way of verifying that an institution's existing resources are adequate to implement the proposed program.

Notwithstanding these limitations, the Commission has found that the streamlining of the academic review process required by SB 682 has improved the time-to-implementation of new degree programs. This has resulted in an increase in the number of programs available in postsecondary education in Maryland. There were no increased costs due to duplication, since programs recommended and favorably reviewed by the Commission are not unnecessarily duplicative of existing programs.

USM Program Review

A total of 121 new academic programs were implemented without objection for USM institutions for the most recent review cycle (July 1999 - December 2001), compared to 51 new academic programs reviewed and approved in the previous program review cycle (January 1997 - June 1999). This represents more than a 137% increase in academic programs approved for USM institutions. Also, during this most recent review cycle, a total of 117 certificate programs were implemented for USM institutions. This is a 277% increase over the previous cycle from the 31 certificates approved.

Under SB 682, the Commission's criteria for review of new academic programs proposed by USM institutions are restricted to: ensuring that the proposed program is consistent with the institution's mission; certifying that the proposed program is consistent with the institution's mission; certifying that the proposed program can be implemented within the institution's existing resources; ensuring that it is not unnecessarily and unreasonably duplicative of an existing program; and ensuring that it meets federal and state equal educational opportunity obligations. As noted above, this limits the Commission's capacity to assess program quality,

since by law the Commission is prohibited from requesting information on market demand, curricula structure and designs, adequacy of faculty, etc. In addition, the Commission has no realistic basis for judging whether new academic programs can be developed within existing resources.

Mission Consistency: For the vast majority of academic program proposal submissions, mission consistency was not an issue. This was due in large part to institutions having "focused" missions, i.e., missions which delineate areas of program emphasis (programmatic and degree specificity). The link between an institution's approved mission and its aspirations for new program development is critically important to the program review process. It is essential that the Commission, in cooperation with the governing boards and presidents, continue to refine and clarify the uniqueness and distinctiveness of Maryland's institutions of higher education.

Existing Resources: In submitting new academic programs, USM presidents certify that no new general funds will be required for implementation of the new program. During this recent review period, USM institutions have submitted more than 121 new programs certifying that student tuition and fees and a reallocation of existing resources were sufficient sources of funds to fully implement the new programs. This process lacks an appropriate mechanism to assure the State that funds from existing programs are not being diverted from other programs thereby causing harm to the quality of existing program offerings, e.g., fewer permanent faculty lines, fewer resources for curriculum development, library resources, technology, professional development, etc. There is a need to develop a process for verifying the adequacy of resources necessary to fully implement new programs. This responsibility rests with the USM Board of Regents.

Unreasonable program duplication which would cause demonstrable harm to another institution: On a number of occasions, the Commission or an institution objected to a new program on the grounds that the program's implementation would harm another institution, i.e., loss of enrollments, loss of tuition and fees from students who may otherwise enroll in the existing program, etc. In all cases, the submitting institutions withdrew programs that were objected to on these grounds.

Violation of the State's equal educational opportunity obligations under State and federal law: Under this criterion, the Commission's review of new programs took into account the State's obligation under State and federal law, including Title VI of the Civil Rights Act of 1964 and the Supreme Court decision in *United States v. Fordice.* States have an affirmative duty to eradicate the policies and practices traceable to prior systems of *de jure* segregation that continue to have segregative effects. This includes any present or continuing policies or practices that foster discrimination or perpetuate conditions that are indicative of the prior dual system, such as unnecessary program duplication, a common element of the prior dual system of higher education in Maryland. A number of programs were not favorably recommended under this criterion.

Expedited 60-Day Review Cycle

While SB 682 focused on streamlining the review process for USM institutions, it also provided for a 60-day academic program review period for all institutions of higher education. In addition

to the increased activity level for the USM campuses cited above, an increase occurred in the number of certificate and academic degree programs approved for Morgan State University, St. Mary's College of Maryland, the community colleges, and the independent sector. During the most recent review cycle, a total of 92 new academic degree programs were approved in contrast to 61 approved during the previous cycle. This represents a 51% increase in new degree program offerings. The number of new certificates approved represents an increase of 53%, from 72 to 110. This expedited review process is beneficial to all institutions.

Low-Productivity Programs

Under SB 682, the Commission maintains as an oversight function its authority to identify low-productivity academic programs. As indicated in this report, the Commission, in cooperation with all public institutions, jointly developed a definition and acceptable criteria for determining low-productivity academic programs. As a result, a total of 168 academic programs were identified for review. Of this number, 31 were discontinued, 108 were recommended for exemption, and 29 were recommended for further study.

The overarching philosophy of the Low-Productivity Report, from the perspective of the Commission and the public colleges and universities, is that institutions of higher education are accountable to the taxpaying citizens of Maryland for an efficient and effective system of higher education. Concomitantly, colleges and universities should continually re-examine their program offerings to determine academic program relevancy. One important measure of this assessment is the examination of degree production over time. It is therefore important for the Commission to maintain this oversight responsibility.

TABLE OF CONTENTS

BACKGROUND 2

Recommendations of the Task Force 2
Legislative Recommendations 3

SENATE BILL 682 4

UNIVERSITY SYSTEM OF MARYLAND PROGRAM REVIEW 4

Criteria For Program Review 5
Outcomes of New Program Development 7
Expedited 60-Day Review Cycle 7
Programs Not Favorably Recommended 8

TOWSON UNIVERSITY 8

Programs Withdrawn from Review Process 10

LOW-PRODUCTIVITY 11

Background 11
Evaluation Criteria 11
Commission Identification of Degree Programs for Examination 13
Governing Board Examination 13
Commission Examination and Action 14

CONCLUSIONS 14

APPENDIX ..... A

New USM Degree Programs By Institution July 1999 - December 2001 ..... A
New USM Certificate Programs By Institution July 1999 - December 2001 ..... B
New USM Degree and Certificate Programs By Institution July 1999 - December 2001 C
New USM Degree Programs By Field of Study July 1999 - December 2001 ..... D
New USM Certificate Programs By Field of Study July 1999 - December 2001 ..... E
New USM Degree Programs By Institution July 1997 - June 1999 ..... F
New USM Certificate Programs By Institution July 1997 - June 1999 ..... G
New USM Degree and Certificate Programs By Institution July 1997 - December 1999 ..... H
New USM Degree Programs By Field of Study July 1997 - June 1999 I
USM Discontinued Programs July 1999 - December 2001 ..... J
Low-Degree Productivity Summary Table ..... K-L

BACKGROUND

In January 1999, the *Task Force on the Governance, Coordination, and Funding of the University System of Maryland* (Task Force) submitted its final report to the Governor and the General Assembly. The Task Force made numerous recommendations and addressed the issue of overlapping authority of the Maryland Higher Education Commission (Commission) and the University System of Maryland (USM) with respect to mission statements and academic program approval, in an effort to "free" institutions from duplicative processes.

The Commission was given responsibility for coordinating a strategic planning process that produced a State Plan for Higher Education with "buy-in" from all stakeholders. The State Plan was envisioned as the blueprint for higher education and the contextual framework for institutions to develop mission statements and academic programs.

Recommendations of the Task Force

Specifically, with respect to academic program approval and elimination, the Task Force recommended that:

- Each USM president should be granted the authority to establish new academic programs and abolish existing academic programs consistent with their respective institutions' approved mission statement and within existing resources.

- This authority should be granted for the initial three years.

- Any academic programs created or abolished by a USM president must be reported to the Board of Regents and the Commission.

- The Board of Regents should be responsible for ensuring that all new academic programs established by the USM presidents are within the scope of the institutions' mission statement and within the institutions' existing resources.

- The Commission should be responsible for assuring that new academic programs do not violate the equal educational opportunity obligations under State and federal law, including Title VI of the Civil Rights Act. If the Commission determines that a proposed academic program is in conflict with the State's equal education opportunity obligations, it must notify the institution and the Board of Regents stating its concerns. The institution must work with the Commission to resolve these concerns before implementing the proposed academic program.

- As an oversight function, the Commission should identify academic programs that are inconsistent with the State Plan and should maintain its authority to identify low-productivity academic programs.

- The Commission should monitor the new academic program approval process and report annually to the Governor, the General Assembly, and the Board of Regents on the nature and extent of any academic program duplication or proliferation.

- Prior to the end of the third year, the Commission should submit a report to the Governor and the General Assembly on the impact of this policy on the quality and accessibility of postsecondary education in Maryland and any increased costs due to duplication of academic programs.

Legislative Recommendations

Legislation necessary to implement the recommendations of the Task Force included the following:

> Revise current academic program review and approval procedures for USM by: amending *§12-109* of the *Education Article* to grant authority to presidents to establish new academic programs and abolish existing academic programs within their institutional mission and existing budget; altering *§11-206* to revise the role of the Commission in the review and approval of new academic programs for USM; revising *§12-106* to reflect the changes in the role of the USM Board of Regents in the academic program review and approval process. All of these revisions sunset after three years.

In response to the Task Force recommendations and legislative recommendation, former Secretary of Higher Education Patricia S. Florestano, Ph.D. submitted a Minority Report. In that Report, the Secretary of Higher Education recommended that the Commission maintain key elements of academic program oversight and coordination in order to ensure effective and efficient use of public funds, to take into account the needs of the State, and to prevent unnecessary academic program duplication. Specifically, such oversight would have included both a quantitative and qualitative assessment of a new program proposal to determine the extent to which it addressed the following areas:

(1) Centrality to mission and planning priorities, relationship to the instructional program emphasis as outlined in the mission statements, and a campus priority for academic program development;

(2) Critical and compelling regional or Statewide need as identified in the State Plan;

(3) Quantifiable and reliable evidence and documentation of market supply and demand in the region and service area;

(4) Reasonableness of program duplication, if any;

(5) Adequacy of curriculum design and related learning outcomes;

(6) Adequacy of articulation;

(7) Adequacy of faculty resources;

(8) Adequacy of library resources;

(9) Adequacy of physical facilities and instructional equipment;

(10) Adequacy of financial resources with documentation; and

(11) Adequacy of provisions for evaluation of program.

SENATE BILL 682

During the 1999 session of the Maryland General Assembly, Senate Bill (SB) 682 was introduced by the Administration to implement a number of the recommendations offered by the Task Force. Among other things, SB 682 amended *§11.206* and added *§11.206.1* to the *Education Article, Annotated Code of Maryland* that established a new academic program review and approval process for the institutions within USM. In addition, the academic program review cycle was reduced from 150 days to 60 days. The Commission was also required to identify low-productivity academic programs. The Commission was expected to monitor the academic program review process and report annually on: the nature and extent of academic program duplication or proliferation of academic programs; and on or before January 1, 2002, submit a report on the impact of the academic program review process on the quality and accessibility of postsecondary education in the State, and any increased costs due to duplication of academic programs.

UNIVERSITY SYSTEM OF MARYLAND PROGRAM REVIEW

Section 11.206.1 of the *Education Article, Annotated Code of Maryland* provides for the USM presidents to establish new academic programs or abolish existing academic programs, provided the academic programs in question are consistent with the institution's approved mission and can be implemented within the existing resources of the institution. Within 30 days of receipt of a new academic program proposal, the Commission, or any Maryland institution, may file an objection based on:

- The inconsistency of the proposed academic program with the institution's approved mission;
- The unreasonable academic program duplication which would cause demonstrable harm to another institution; or
- A violation of the State's equal educational opportunity obligations under State and federal laws.

If an objection is filed within 30 days and is justified based on the above-mentioned criteria, the Commission shall negotiate with the submitting institution to modify the academic program in order to resolve the objection. If the objection cannot be resolved within 30 days, the Commission shall make a final determination on approval of the new academic program.

In response to this mandate, the Commission, in cooperation with USM, developed an academic program proposal format which only provides the limited information necessary to respond to the legislative criteria specified above. Campuses provide specific information solely to make a judgment on mission consistency, unreasonable academic program duplication, and equal educational opportunity obligations. Also, in notifying the Commission of a new academic program under this provision, the institution's president will "certify" that the academic program can be implemented with existing resources of the campus and that no new general funds would be required for implementation of the academic program.

In fact, according to the proposals, all new USM programs were funded through tuition and fees, and at times, also through a reallocation of existing resources. There is no process for verifying the certification that existing resources are adequate for new program implementation, and there is no guarantee that funding for currently existing programs has not suffered because of new programs.

While this review process responded directly to the Task Force recommendations and the mandates in SB 682, it provides for no oversight of the quality of curricula, the expected learning outcomes, the adequacy of faculty resources, market demand or the adequacy of the instructional equipment and facilities to successfully implement new programs. Without the ability to verify financial viability and need for the program, many programs could be implemented to the detriment of other programs.

Criteria For Program Review

As indicated above, the law provides for USM presidents to establish new academic programs under the condition that the new program is (1) consistent with the institution's approved mission; and (2) can be implemented with the existing resources of the institution.

Mission Consistency: For the vast majority of academic program proposal submissions, mission consistency was not an issue. This was due in large part to institutions having "focused" missions, i.e., missions which delineate areas of program emphasis (programmatic and degree specificity). There was little disagreement on the appropriateness of new program proposals within institutions' approved missions. In those few cases when a dispute arose, institutions reconsidered their submitted proposal and typically had it withdrawn. The link between an institution's approved mission and its aspirations for new program development is critically important to the program review process. Therefore, it is essential that the Commission, in cooperation with the governing boards and presidents, continue to refine and clarify the uniqueness and distinctiveness of Maryland's institutions of higher education through institutional mission statements.

Existing Resources: In submitting new academic programs under this provision, USM presidents "certify" that no new general funds will be required for implementation of the new program. During this recent review period, USM institutions have submitted more than 121 new programs, certifying that student tuition and fees, and a reallocation of existing resources were sufficient sources of funds to fully implement a new program. This process lacks an appropriate mechanism to assure the State that funds from existing programs are not being diverted from other programs thereby causing harm to the quality of existing program offerings, e.g., fewer permanent faculty lines, fewer resources for curriculum development, library resources, technology, professional development, etc. There is a need to re-examine this policy and develop a process for verifying the adequacy of resources necessary to fully implement new programs.

Having satisfied the two conditions mentioned above, USM presidents report to the Commission any programs that are proposed to be established under this section of the law. Upon receipt of this notification, the Commission notifies the other institutions of higher education. Within 30 days, the Commission, or any Maryland institution, may file an objection based on any of the following three criteria:

1. *Inconsistency of the proposed program with the institution's approved mission:* On several occasions, the Commission or an institution objected on the grounds that a proposed program was not consistent with the submitting institution's mission. In those cases, meetings were held with the representatives of the institution's governing board and the campus to clarify and resolve the issue. Ultimately, institutions withdrew proposals which were in dispute.

2. *Unreasonable program duplication which would cause demonstrable harm to another institution:* On a number of occasions, the Commission or an institution objected to a new program on the grounds that the new program would harm another institution, i.e., loss of enrollments, loss of tuition and fees from students who may otherwise enroll in the existing program, etc., and therefore it would be unreasonable for the State to invest in a duplicative program in the region and/or State. The submitting institutions withdrew programs that were objected to on these grounds.

3. *Violation of the State's equal educational opportunity obligations under State and federal law:* Under this criterion, the Commission's review of new programs took into account the State's obligation under State and federal law including Title VI of the Civil Rights Act of 1964 and the Supreme Court decision in *United States v. Fordice*. States have an affirmative duty to eradicate the policies and practices traceable to prior systems of *de jure* segregation that continue to have segregative effects. This includes any present or continuing policies or practices that foster discrimination or perpetuate conditions that are indicative of the prior dual system, such as unnecessary program duplication, which was a common element of the prior dual system of higher education in Maryland.

   For these purposes, "unnecessary program duplication" refers to those instances in which broadly similar academic programs (i.e., with respect to overarching purposes, overall curriculum content, and expectations of program graduates) are offered in areas other than the core undergraduate liberal arts and sciences at a Traditionally White Institution

and an Historically Black College or University that are operated in locations that are geographically proximate to one another.

Outcomes of New Program Development

During the period of July 1999 to December 2001, a total of 136 proposals (for new programs, programs discontinued, programs withdrawn, and programs not recommended for implementation) were submitted by the USM presidents to the Commission under *§11.206.1*; 121 new programs were implemented without objection. Another four were offered for discontinuance, five were withdrawn and six were not favorably recommended.

A total of 121 new academic programs were implemented without objection for USM institutions for the most recent review cycle (July 1999 - December 2001), compared to 51 new academic programs reviewed and approved in the previous program review cycle (January 1997 - June, 1999). This represents more than a 137% increase in academic program approvals for USM institutions.

Also, during this most recent review cycle, a total of 117 certificate academic programs were implemented for USM institutions without objection. This is a 277% increase over the previous cycle from the 31 certificate academic programs reviewed and approved.

Expedited 60-Day Review Cycle

While Senate Bill 682 focused on streamlining the review process for USM institutions, it also provided for a 60-day academic program review period for all institutions of higher education. In addition to the increased activity level for the USM campuses cited above, an increase occurred in the number of certificate and academic degree programs approved for Morgan State University, St. Mary's College of Maryland, the community colleges, and in the independent sector. During the most recent review cycle (July 1999 - December 2001), a total of 92 new academic degree programs were approved for these non-USM institutions, in contrast to 61 approved during the previous cycle (January 1997 - June 1999). This represents a 51% increase in new academic degree program offerings. The number of new certificates approved represents an increase of 53%, from 72 to 110.

As indicated in Appendix D and I, programs were developed, in rank-order, in the areas of: Engineering, Mathematics, & Natural Science; Business, Management and Public Administration; Dramatic Arts, Fine Arts and Humanities; Computer Science & Information Technology; and Education. New certificate programs were offered primarily in two major disciplines: Business, Management, and Public Administration; and in Computer Science and Information Technology (Appendix E).

Since the enactment of SB 682, the Commission has further streamlined the academic program review process to include the following:

- Replaced the twice-a-year submission for new academic program proposals with a rolling schedule;

- Eliminated the "letter of intent" stage and moved to a one-step process;
- Reviewed and approved an academic program, typically within a 30-45 day timeframe;
- Adopted a distance learning policy to encourage institutions to deliver to the marketplace existing academic programs electronically throughout the State and globally without further Commission review and approval; and
- Streamlined approval for new certificate academic programs.

Expediting the academic program review process has resulted in institutions being able to deliver academic programs to the marketplace in an accelerated manner. Institutions have responded to this challenge by developing a high number of new certificate academic programs which build on existing academic degree programs (lower-division, upper-division, post-baccalaureate). Programs were developed in response to market demand and in areas of need identified in the State Plan.

Programs Not Favorably Recommended

As previously indicated, a number of programs were not recommended favorably because their implementation would cause harm to another institution. These programs and the rationale for the Commission's unfavorable position are explained in the following.

Towson University

On November 1, 1999, four academic program proposals submitted by Towson University were objected to by the Commission and Morgan State University and ultimately were not approved: three baccalaureate degrees—the B.A./B.S. in Marketing, the B.A./B.S. in Management, and the B.A./B.S. in Finance; and one Master's academic degree program, the M.A. in Comparative World History.

Consistent with *§11-206.1* of the *Education Article, Annotated Code of Maryland*, the Commission objected to the implementation of the proposed academic programs on the following basis:

(1) unreasonable academic program duplication which would cause demonstrable harm to another institution, and

(2) violation of the State's equal educational opportunity (EEO) obligations under State and federal law.

Based on a staff analysis, it was concluded that the proposed academic programs would be unreasonably duplicative of existing academic programs at Morgan State University and, if implemented, would cause harm to that institution. Further, implementation of these academic programs would violate the State's equal educational opportunity obligations under State and federal law including the obligation to enhance historically black institutions.

The Commission staff acknowledged that the academic programs in question were consistent with the mission of Towson University. Commission staff objections, therefore, were based not on the criterion of "inconsistency of the proposed academic

program with the institution's approved mission," but on the criteria referenced above - - 1) unreasonable academic program duplication and 2) violation of the State's EEO obligations. After hearing the appeal, the Commission issued a directive that:

> "Based upon the State's legal obligations articulated in *U.S. v. Fordice*, applicable federal and State law, the facts presented in this matter and advice given to the Commission by the Office of the Attorney General of Maryland, the appeal of the Secretary's determination on Towson University's proposed undergraduate business academic programs in Management, Marketing and Finance and the M.A. in Comparative World History is denied.
>
> Based upon the same legal obligations, and taking into account the needs and best interests of Towson University, Morgan State University and their respective students, it is the intent of the Commission that a collaborative effort be immediately undertaken between the Commission and both universities to develop alternative proposals for these academic programs in order to (1) further the educational opportunities available to students at both universities and (2) implement both the letter and spirit of *U.S. v. Fordice* by actively pursuing the continued racial integration of both institutions."

Towson University's Doctorate in Leadership in Education

On February 8, 2000, after objections were filed with the Commission by Morgan State University and unsuccessfully resolved, a program proposal submitted by Towson University to offer the Doctor of Education program in Leadership in Education, with a focus in Learning and Teaching and a focus in Leadership, was recommended by Commission staff and by the Secretary of Higher Education for approval.

On May 22, 2000, after unsuccessful efforts to resolve the objection, the Commission issued its determination that it would not approve an Ed.D. in Leadership in Education for Towson University unless and until it had meaningfully examined whether educationally sound and less segregative alternatives were available to meet a demonstrated educational need in the State.

In response to the Commission's directive, on April 24, 2001, the Commission received a strategic plan for a collaborative doctorate in Education, involving three doctoral-granting universities, Bowie State University, Morgan State University, and the University of Maryland, College Park (with University of Maryland Eastern Shore participating with a proposed doctorate in Organizational Leadership), and the State's regional comprehensive universities, which includes Towson University, Frostburg State University, and Salisbury University as collaborative partners.

The collaborative doctoral program in Education will address the joint nature of the outreach efforts, particularly in Western Maryland and on the Eastern Shore, among the doctoral-granting institutions in the State. The purpose of the academic program is to develop the advanced

knowledge and leadership skills necessary for meeting the challenges of reforming, redesigning, and restructuring education across the educational continuum, focusing on an approach that utilizes school-based inquiry and field-based perspectives.

University of Baltimore's Doctorate in Business Administration

On February 14, 2000, after objections were filed with the Commission by Morgan State University and unsuccessfully resolved, a program proposal submitted by the University of Baltimore a Doctorate in Business Administration (DBA), was reviewed and favorably recommended for approval by Commission staff and by the Secretary of Higher Education.

Similar to the action taken on the Towson University Doctoral program in Leadership in Education, on May 22, 2000, the Commission also issued its determination that it would not approve for the University of Baltimore a DBA unless and until it had meaningfully examined whether educationally sound and less segregative alternatives were available to meet a demonstrated educational need in the State.

In response, the Commission received a cooperative agreement between Morgan State University and the University of Baltimore for a doctorate in Business Administration, with the doctorate to be awarded by Morgan State University.

The doctoral program in business is a cooperative agreement with the goals of providing outstanding academic programs designed to meet the higher education needs of residents of the City of Baltimore and citizens of the State of Maryland. It will also advance the training of professionals in a variety of areas. This academic program responds to the needs of part-time adult learners; it includes a teaching component as an option for prospective students who aspire to teach at the college or university level.

Programs Withdrawn from Commission Review

After receiving the preliminary notification of concerns from the Commission and other institutions, a number of institutions elected to withdraw academic program proposals after being notified of issues related to mission, finances (projected expenditures exceeded projected resources), duplication and/or equal educational opportunity obligations. These included the following:

Institution/Proposed Program	Mission	Finances	Duplication	EEO
Towson University: Master of Arts in Applied Economics			✓	✓
Towson University: Master of Science in eBusiness	✓	✓		
Towson University: Certificate in Litigation Counseling	✓	✓		
University of Maryland Baltimore County: Bachelor of Science in Electrical Engineering			✓	✓
University of Maryland Baltimore County: Bachelor of Science in Communication Engineering			✓	✓

LOW-PRODUCTIVITY

Background

In addition to providing for a new program review process, SB 682 also required the Commission and the governing boards of the public institutions of higher education to jointly develop a definition and acceptable criteria for determining low-productivity academic programs. Consistent with this mandate, representatives of the public sector of higher education and the Commission jointly crafted a definition of what constitutes low-productivity academic programs and the criteria for identifying them.

The overarching philosophy, from the perspective of the Commission and the public colleges and universities, is that institutions of higher education are accountable to the taxpaying citizens of Maryland for an efficient and effective system of higher education. Concomitantly, colleges and universities should continually re-examine their program offerings to determine academic program relevancy and viability. One important measure of this assessment is the examination of degree production over time.

Evaluation Criteria

A single criterion, degree production, was selected as the most appropriate method for determining low-productivity. Commission staff identify low-producing academic programs by compiling a three-year history of degrees conferred and by identifying all academic degree programs that fall below the following parameters:

- *Associate degree academic programs* must graduate five (5) students in the most recently reported year or a total of fifteen (15) students in the last three years.

- *Baccalaureate degree academic programs* must graduate five (5) students in the most recently reported year or a total of fifteen (15) students in the last three years.

- *Master's degree academic programs* must graduate two (2) students in the most recently reported year or a total of six (6) students in the last three years.

- *Doctoral degree academic programs* must graduate one (1) student in the most recently reported year or a total of three (3) students in the last three years.

Liberal Arts Exemption: Each institution may request the exemption of five (5) low-demand liberal arts academic degree programs at the associate or baccalaureate degree level. The liberal arts exemption is intended to address an institutional need to offer certain academic degree programs with low demand that are central to the institution's role and mission. Once identified by an institution, the specified academic degree program carries this designation until the institution's governing board acts to remove it or supplants it with a new academic degree program.

In addition to the quantitative assessment based on degree production and the five institutional liberal arts academic program exceptions allowed to each institution, the Commission and public colleges and universities recognized six other exemption criteria categories that demonstrate academic program need, and contributions to the institution and to the State of Maryland. The criteria for these potential exemptions include:

1. *Centrality to Mission*: Based on compelling evidence, an institution may request an exemption from its governing board and the Commission that a academic degree program is critical to the institution fulfilling its approved mission. Assuming no change in mission, satisfying this criterion would exempt the academic program from further examination and review.

2. *Quality of Graduates*: An institution would be expected to provide follow-up data from recent graduates showing career paths pursued in order to satisfy its governing board and the Commission that this exemption is justified.

3. *Access*: This criterion requires an institution to demonstrate that other existing academic degree programs or educational delivery systems cannot meet the enrolled students' needs.

4. *Appropriate Duplication*: A comparative analysis that highlights the way a academic program serves a distinct group of students or fulfills a distinctly different set of academic program goals shall substantiate this factor.

5. *Contribution to Economic Development*: As a result of its reputation, an academic degree program may attract external funds to the institution and/or state. A three-year cost-benefit analysis, comparing academic program costs to external funds or other financial analysis shall document this factor.

6. *Cost Factors*: There may be course offerings which do not result in any additional costs to the institution, e.g., Master's degree programs which are in fact subsets of existing

doctoral academic programs. In this situation, the Master's degree is infrequently awarded, and when awarded, it is conferred only on students who, for a variety of reasons, do not complete the requirements for the doctorate. Under this scenario, students are not recruited nor admitted into a Master's degree program, but typically are interested in, and apply for admission into, a doctoral degree academic program.

Other examples of academic programs with little or no costs to the campus are "Interdisciplinary" and "Multi-disciplinary" academic programs. In these situations, the coursework for the major or degree program is drawn exclusively from existing coursework so there are no additional costs to the college or university to offer these majors. Documentation from college catalogs and other official campus publications and announcements shall substantiate this factor.

Commission Identification of Degree Programs for Examination

The Commission notifies the governing boards of low-demand academic degree programs. Low demand is defined as those academic programs that fail to meet the minimum degree production standards specified above. The group of programs consists of those programs that are recognized in the Commission's active academic program inventory.

Governing boards are encouraged to discontinue academic degree programs that fail to meet the graduation criteria over a three-year period, unless compelling evidence exists that the academic program should continue.

Governing Board Examination

A governing board examines the low-demand academic programs that have been identified as being below the specified productivity criteria over a three-year period. In keeping with the Commission's policy that allows institutions to maintain a minimum number of liberal arts academic degree programs without regard to degree production standards, each institution may exempt five low-demand associate or baccalaureate degree academic programs from discontinuance. The Commission intends for the liberal arts exemption to address an institutional need to offer certain academic degree programs with low demand that are central to the institution's role and mission. This exemption applies only to associate and baccalaureate degree academic programs, and excludes any academic degree program that did not graduate at least one student in each of the past three years.

To invoke this exemption, a governing board may designate up to five associate or baccalaureate degree academic programs that are central to the institution's role and mission. A academic degree program carries this designation until the governing board acts to remove it or supplants it with a new academic degree program. By July 1st of each year, the governing board may identify to the Commission the low-demand academic degree programs it discontinued and those that it did not. If the governing board chooses not to discontinue a low-demand academic program, it provides the Commission with a summary of its position and the documentation that supports its position.

Commission Examination and Action

The Commission reviews the low-demand academic programs that the governing board did not discontinue. It does not review the associate and baccalaureate degree academic programs the governing board designates under the liberal arts exemption.

For the academic programs not discontinued or exempted, the Commission examines them within the context of the State Plan, the Maryland Charter, Commission policies, and the governing board's rationale. The Commission may request additional information from the governing board staff during the academic program evaluation.

Recommendations on academic programs to be maintained and on academic program discontinuances are presented firs to the Commission's Education Policy Committee and then to the full Commission. Governing Board members representing the academic degree programs under Commission review have an opportunity to testify during the discussion.

As a result of this review, a total of 168 academic programs were identified for review. Of this number, 31 were recommended for discontinuance, 108 were recommended for exemption, and 29 were recommended for further study.

CONCLUSIONS

This report addresses the impact the Commission's academic program review process has had on the quality and accessibility of postsecondary education in Maryland and on any increased costs associated with duplication of academic programs, as mandated by SB 682. For comparative purposes, this report specifically covers the current and previous review cycles, January 1997 - June 1999, and July 1999 - December 2001 respectively.

The Commission's ability to assess the impact on quality is severely limited in scope, due in part to the USM program review process which restricts the Commission's oversight to ensuring that the proposed program is consistent with the institution's mission, certifying that the proposed program can be implemented with the institution's existing resources, ensuring that it is not unnecessarily and unreasonably duplicative of an existing program, and ensuring that it meets State and federal equal educational opportunity obligations. SB 682 provided the Commission with no oversight regarding market demand for USM program proposals nor of the quality of curricula, expected learning outcomes, adequacy of faculty resources, or adequacy of the instructional equipment and facilities required to successfully implement such programs. Without the ability to verify such information, the Commission lacks any basis to assess the quality of proposed programs. Moreover, it has no way of verifying that the institution's existing resources are adequate for program implementation.

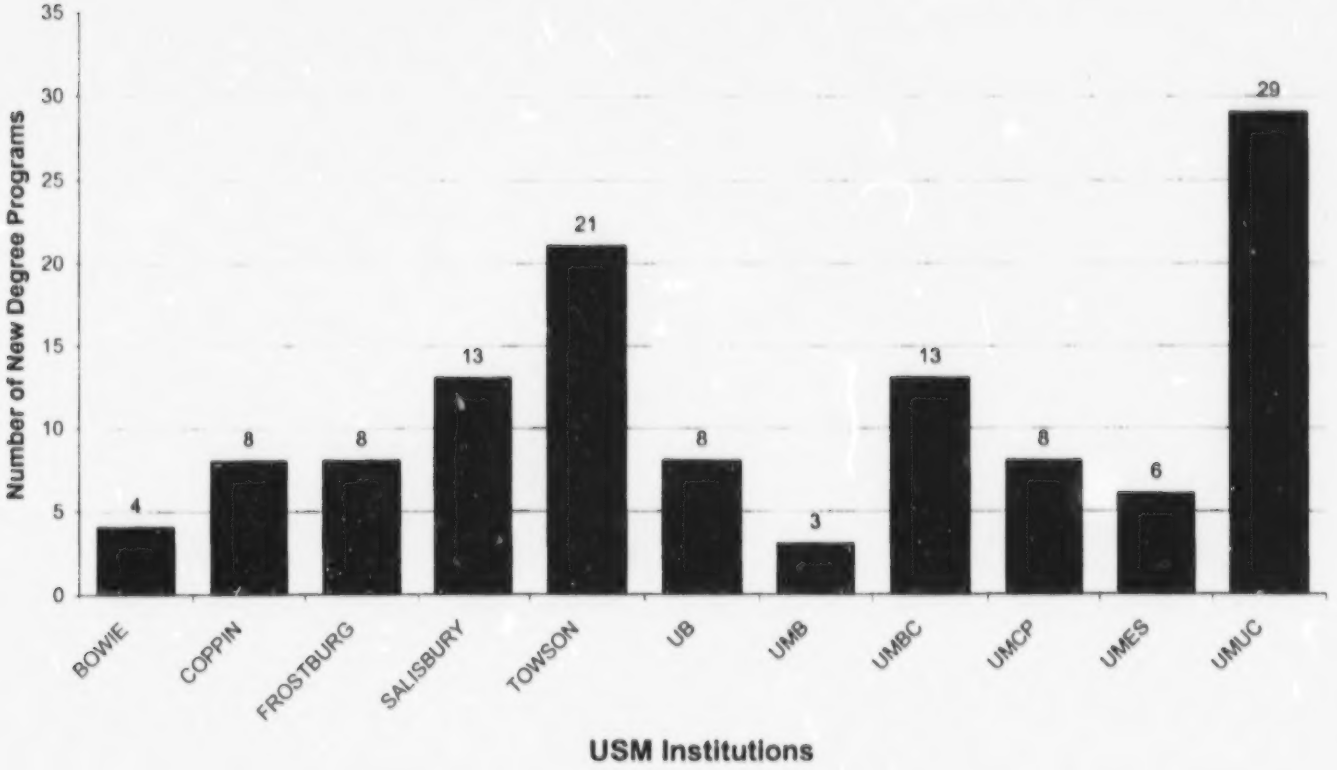
SB 682 also provided for a 60-day academic program review process for all institutions of higher education. This resulted in an increased level of activity for the USM campuses as well as an increase in the number of certificate and academic degree programs approved for Morgan State University, St. Mary's College of Maryland, the community colleges, and the independent

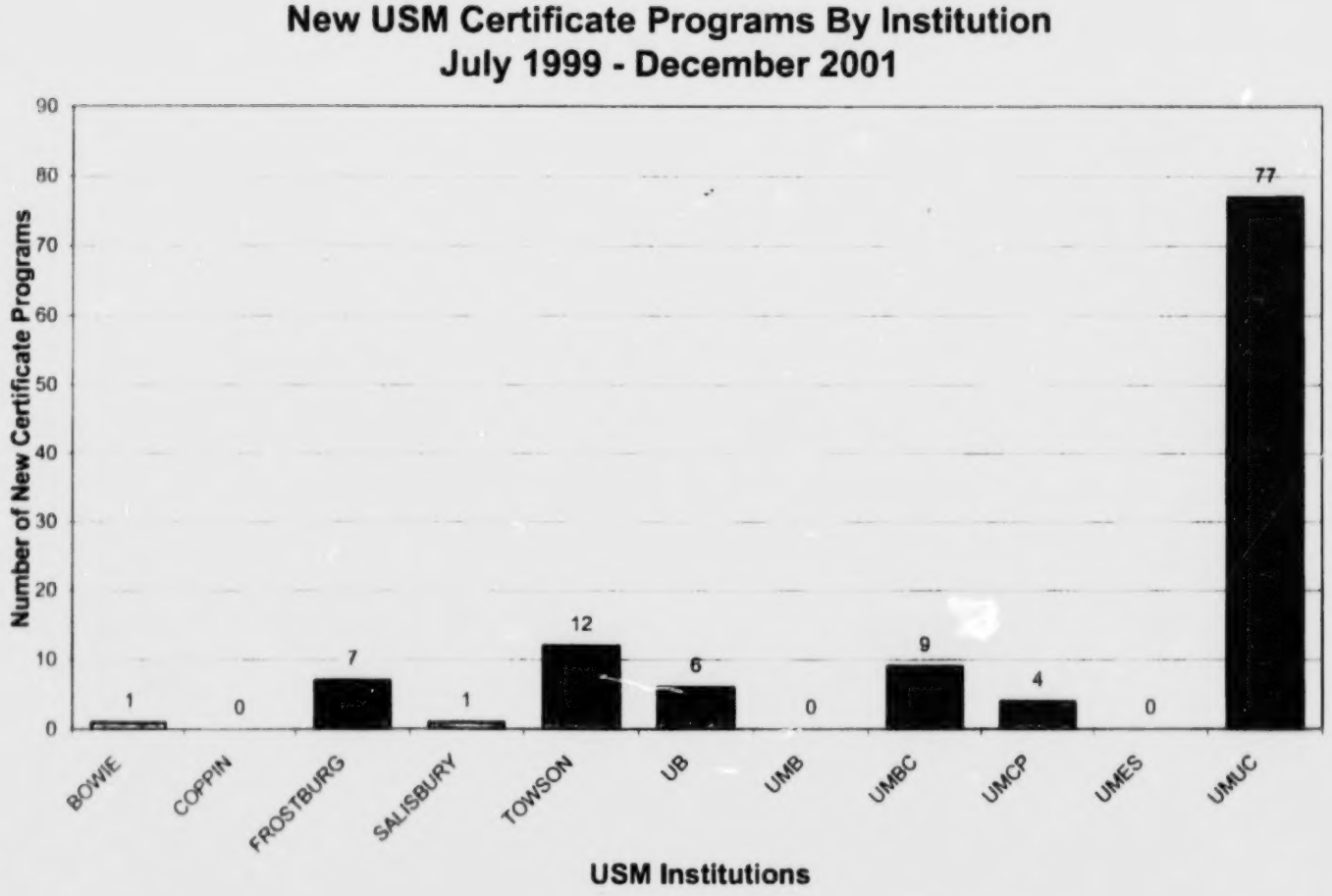
sector. This expedited review process is beneficial to the State in that institutions respond more expeditiously to workforce needs. There were no increased costs due to duplication since programs recommended and favorably reviewed by the Commission are not unnecessarily duplicative of existing programs.

Lastly, as indicated in this report, the Commission, in cooperation with all public institutions, developed a definition and criteria for determining low-productivity academic programs. As a result, a total of 168 academic programs were identified for review. Of this number, 31 were discontinued, 108 were recommended for exemption, and 29 were recommended for further study. This responsibility is an important accountability mechanism for determining academic program relevancy and viability.

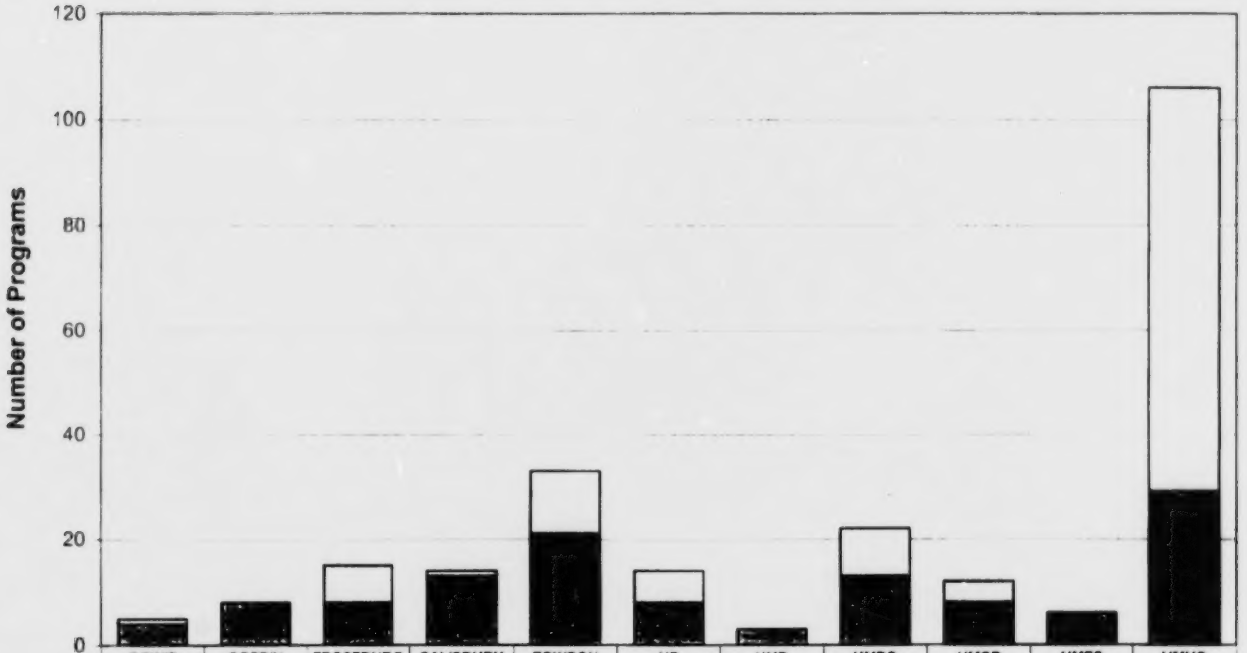
APPENDIX

New USM Degree Programs By Institution
July 1999 - December 2001




New USM Certificate Programs By Institution
July 1999 - December 2001
Number of New Certificate Programs
90
80
70
60
50
40
30
20
10
0
1
0
7
1
12
6
0
9
4
0
77
BOWIE
COPPIN
FROSTBURG
SALISBURY
TOWSON
UB
UMB
UMBC
UMCP
UMES
UMUC
USM Institutions

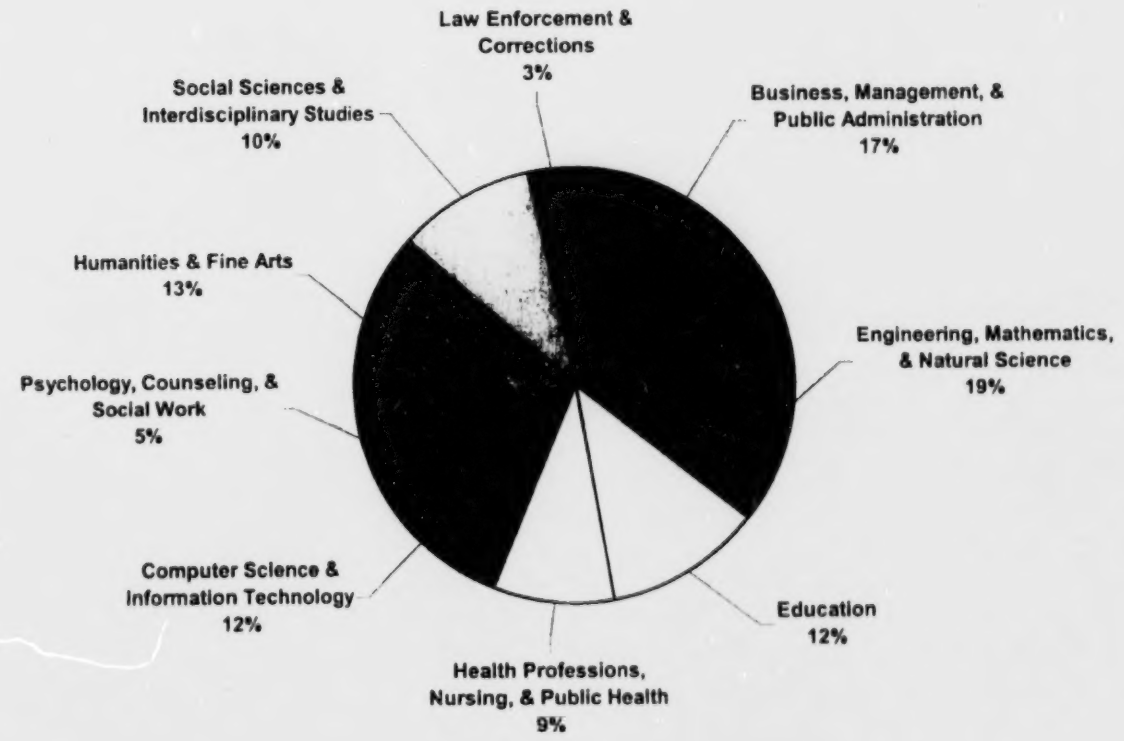
New USM Degree and Certificate Programs By Institution
July 1999 - December 2001



	BOWIE	COPPIN	FROSTBURG	SALISBURY	TOWSON	UB	UMB	UMBC	UMCP	UMES	UMUC
Certificate Programs	1	0	7	1	12	6	0	9	4	0	77
Degree Programs	4	8	8	13	21	8	3	13	8	6	29

USM Institutions

New USM Degree Programs By Field of Study
July 1999 - December 2001


Law Enforcement & Corrections 3%
Business, Management, & Public Administration 17%
Social Sciences & Interdisciplinary Studies 10%
Humanities & Fine Arts 13%
Engineering, Mathematics, & Natural Science 19%
Psychology, Counseling, & Social Work 5%
Computer Science & Information Technology 12%
Education 12%
Health Professions, Nursing, & Public Health 9%

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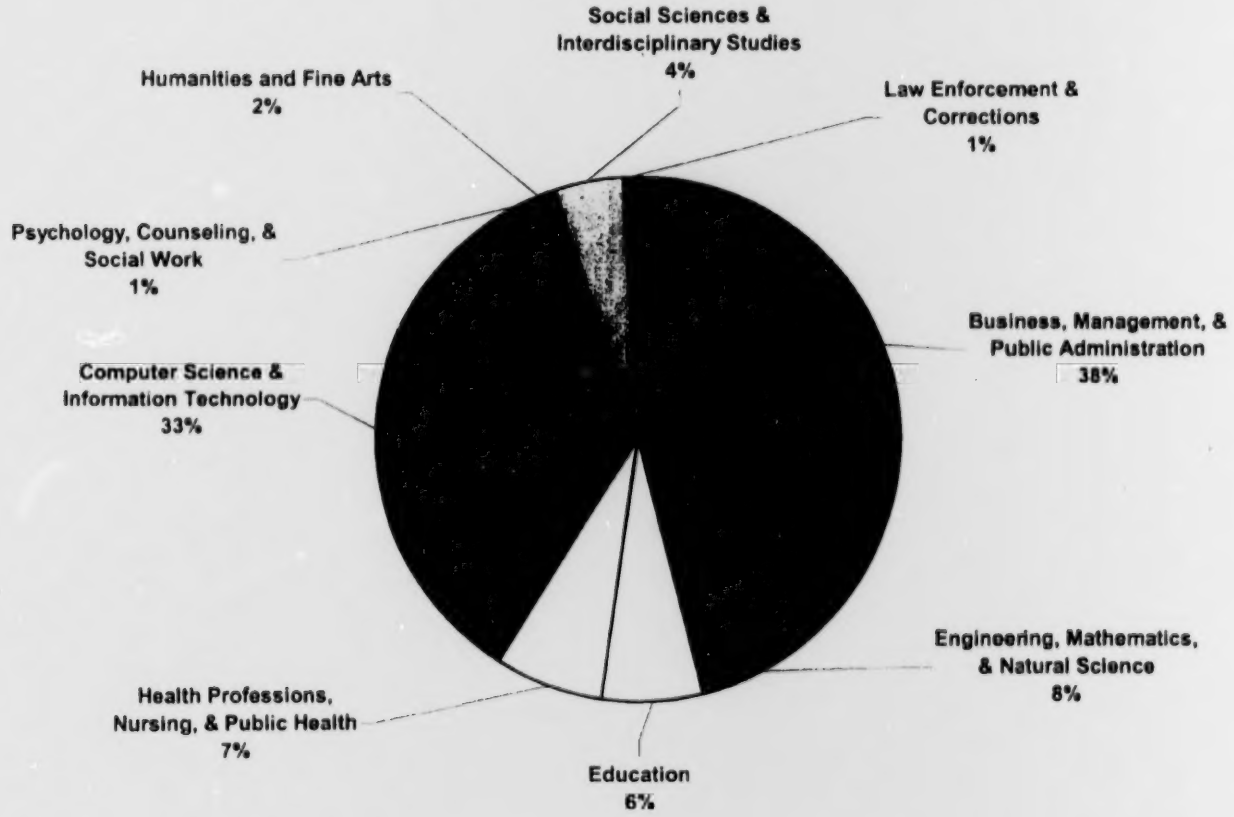
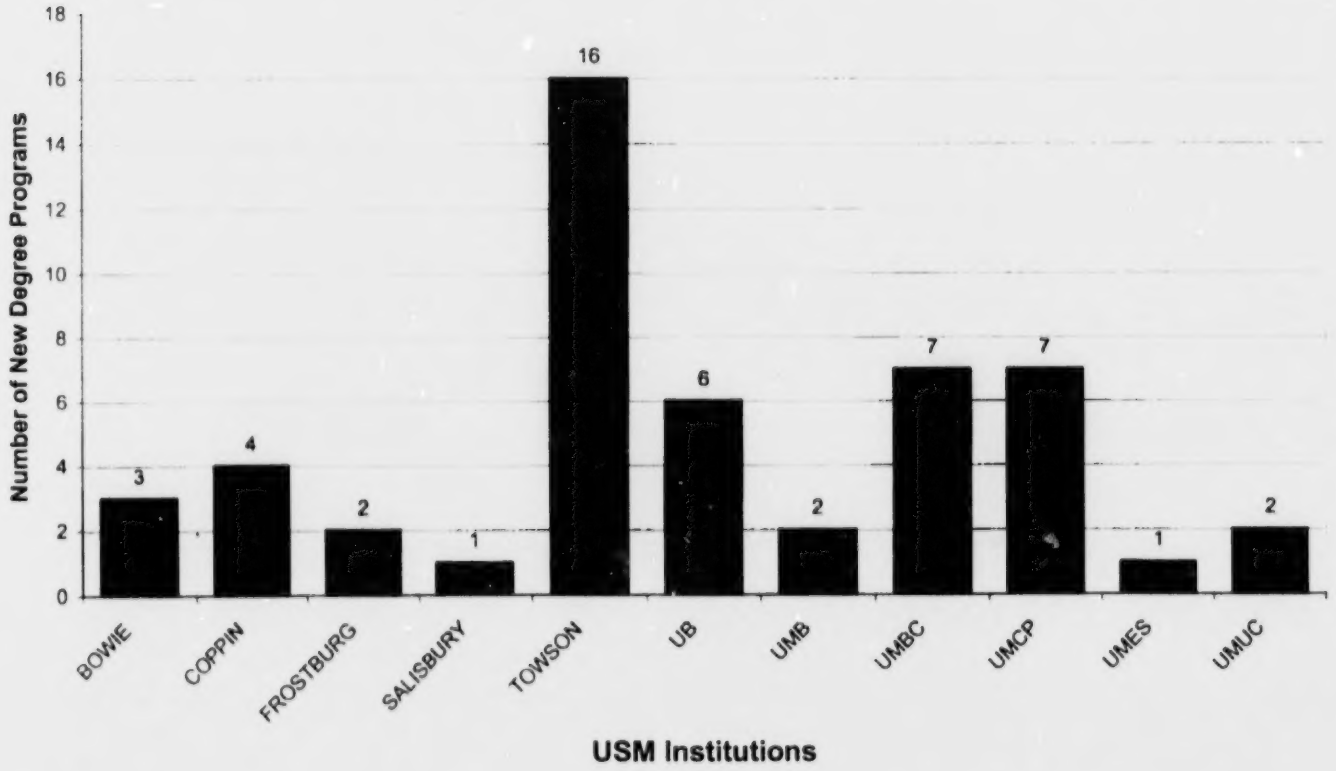
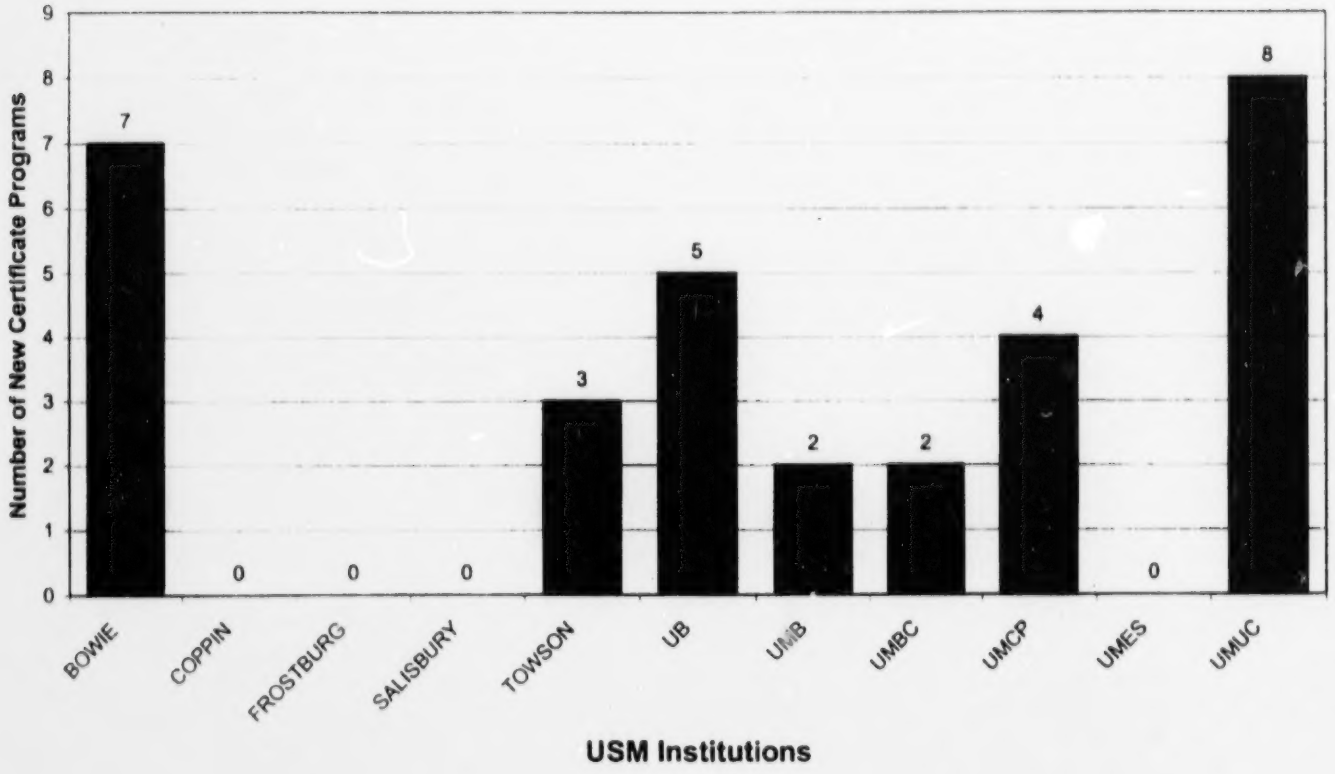
New USM Certificate Programs By Field of Study
July 1999 - December 2001


Social Sciences & Interdisciplinary Studies 4%
Humanities and Fine Arts 2%
Law Enforcement & Corrections 1%
Psychology, Counseling, & Social Work 1%
Business, Management, & Public Administration 38%
Computer Science & Information Technology 33%
Engineering, Mathematics, & Natural Science 8%
Health Professions, Nursing, & Public Health 7%
Education 6%

New USM Degree Programs By Institution
January 1997 - June 1999



New USM Certificate Programs By Institution
January 1997 - June 1999



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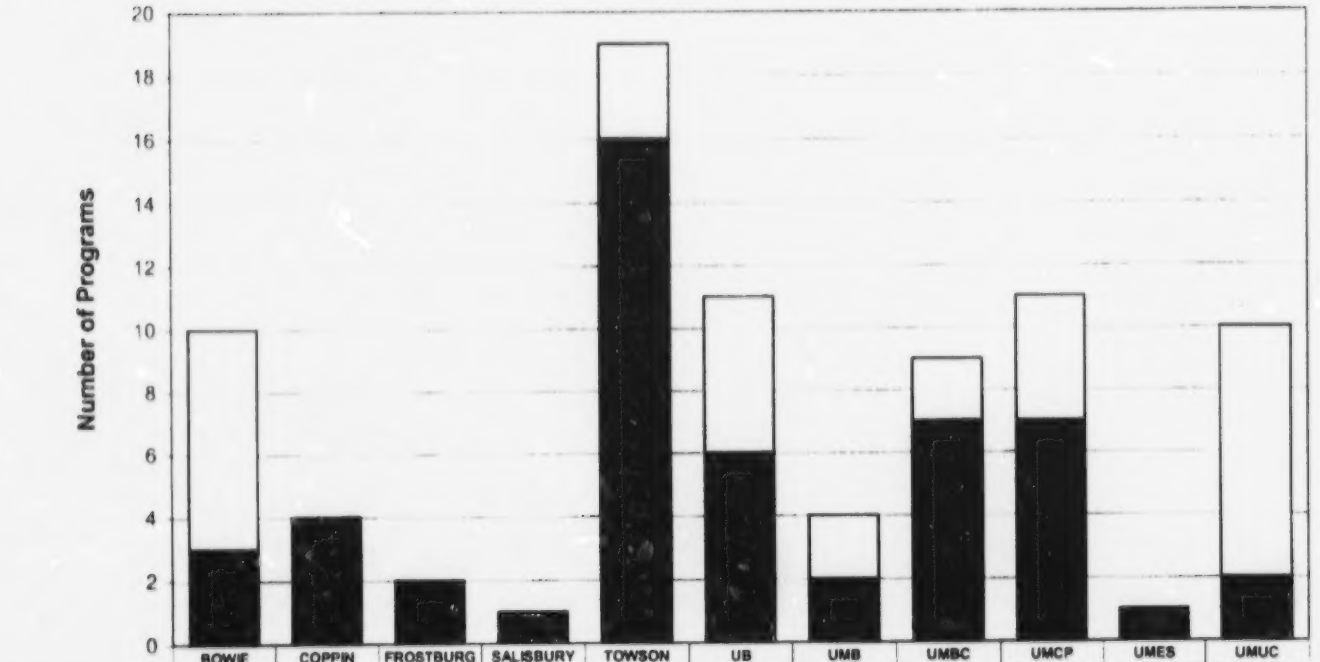
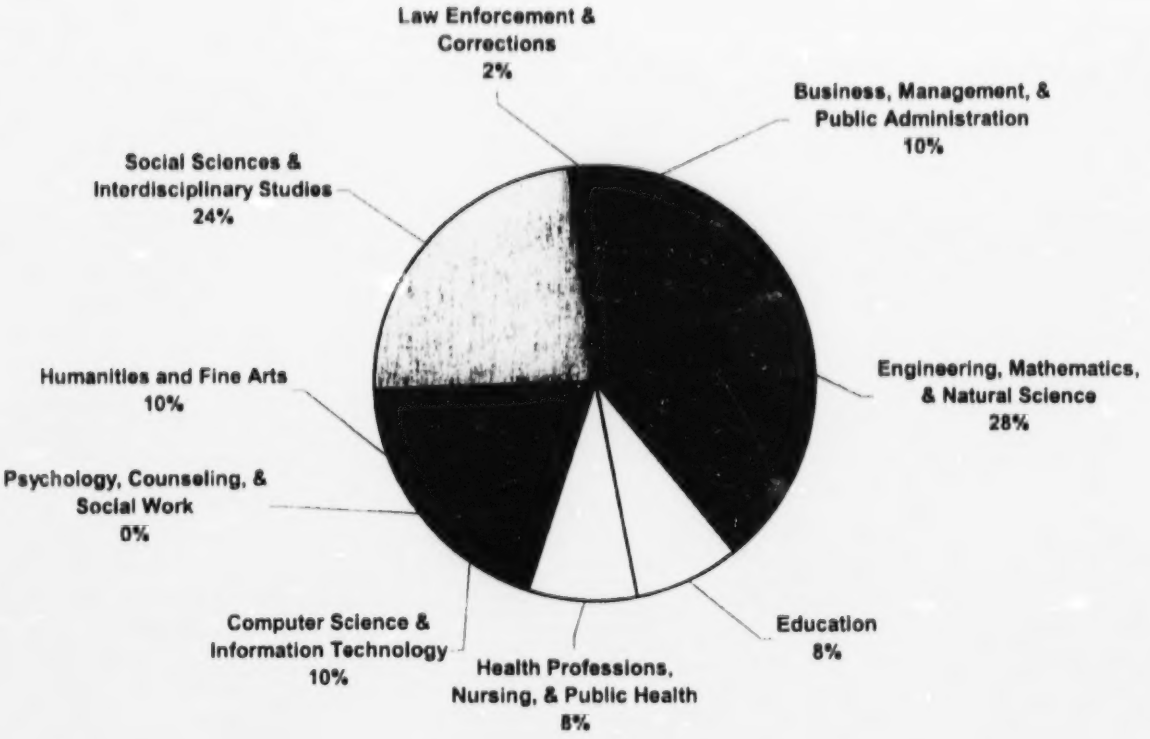
New USM Degree and Certificate Programs By Institution
January 1997 - June 1999



New USM Degree Programs By Field of Study
January 1997 - June 1999


Law Enforcement & Corrections 2%
Business, Management, & Public Administration 10%
Social Sciences & Interdisciplinary Studies 24%
Engineering, Mathematics, & Natural Science 28%
Humanities and Fine Arts 10%
Psychology, Counseling, & Social Work 0%
Computer Science & Information Technology 10%
Health Professions, Nursing, & Public Health 8%
Education 8%

USM Discontinued Programs
July 1, 1999 - December 2001

Institutions	Program	# of programs
Towson University/University of Baltimore	Master's in Accountancy	1
University of Maryland, College Park/University of Maryland Baltimore County	Master's and Doctorate in Applied Developmental Psychology	1
University of Maryland, College Park/University of Maryland University College	Master of Software Engineering	1
University of Maryland Eastern Shore	B.S., Physical Education	1
	TOTAL:	**4**

LOW-DEGREE SUMMARY TABLE

Number of Degree Programs Identified for Review

Institution	Associate	
Allegany College of Maryland	2	
Anne Arundel Community College	0	
Baltimore City Community College	7	
Carroll Community College	0	
Community College of Baltimore County		
Catonsville	16	
Dundalk	4	
Essex	2	
Cecil Community College	4	
Chesapeake College	4	
College of Southern Maryland	1	
Frederick Community College	5	
Garrett Community College	1	
Hagerstown Community College	3	
Harford Community College	7	
Howard Community College	4	
Montgomery College		
Germantown	8	
Rockville	7	
Takoma Park	4	
Prince George's Community College	1	
Wor-Wic Community College	1	
Subtotal	81	81

Institution	Bachelor	Master	Doctorate	Subtotal
Bowie State University	2	0	0	2
Coppin State College	0	1	0	1
Frostburg State University	3	0	0	3
Salisbury University	3	1	0	4
Towson University	2	0	0	2
University of Baltimore	0	0	0	0
University of Maryland, Baltimore	1	8	2	11
University of Maryland Baltimore County	0	5	3	8
University of Maryland, College Park	18	8	1	27
University of Maryland Eastern Shore	12	2	1	15
Morgan State University	5	5	0	10
St. Mary's College of Maryland	4	0	0	4
Subtotal	50	30	7	87
Total Programs Identified				168

Recommended Action

Institution	Number of Programs Identified	Recommended to be Discontinued	Recommended for Exemption	
			Other	
Allegany College of Maryland	2	0	2	0
Anne Arundel Community College	0	0	0	0
Baltimore City Community College	7	0	5	2
Carroll Community College	0	0	0	0
Community College of Baltimore County				
Catonsville	16	9	7	0
Dundalk	4	2	2	0
Essex	2	0	2	0
Cecil Community College	4	1	3	0
Chesapeake College	4	0	2	2
College of Southern Maryland	1	0	1	0
Frederick Community College	5	0	5	0
Garrett Community College	1	1	0	0
Hagerstown Community College	3	0	3	0
Harford Community College	7	0	7	0
Howard Community College	4	1	3	0
Montgomery College				
Germantown	8	2	2	4
Rockville	7	3	4	0
Takoma Park	4	1	0	3
Prince George's Community College	1	0	0	1
Wor-Wic Community College	1	0	1	0
Subtotal	81	20	49	12
Institution				
Bowie State University	2	1	1	0
Coppin State College	1	1	0	0
Frostburg State University	3	0	3	0
Salisbury State University	4	0	3	1
Towson University	2	0	2	0
University of Baltimore	0	0	0	0
University of Maryland, Baltimore	11	3	8	0
University of Maryland Baltimore County	8	0	5	3
University of Maryland, College Park	27	5	20	2
University of Maryland Eastern Shore	15	1	8	6
Morgan State University	10	0	7	3
St. Mary's College of Maryland	4	0	2	2
Subtotal	87	11	59	17
Total	168	31	108	29

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